

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 7,507,706 B1
Issued: March 24, 2009
Applicants: Mary Collins *et al.*
Serial No.: 09/868,123
Filing Date: April 2, 2002
For: CYTOKINE RECEPTOR CHAIN
Examiner: Deberry, Regina M.
Art Unit: 1647
Confirmation No.: 5639

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being electronically filed in accordance with § 1.6(a)(4), on the 14th day of April, 2010.

/Allyson R. Hatton /
Allyson R. Hatton, Reg. No. 54,154

ATTN: CERTIFICATE OF CORRECTIONS BRANCH
Commissioner for Patents

REQUEST FOR ISSUANCE TO CO-ASSIGNEE UNDER 37 C.F.R. §3.81(b)

Sir:

Applicants hereby request that the Assignee information listed on the above-identified patent be amended to include the second Assignee's name "The Johns Hopkins University" which was inadvertently omitted on the PTOL-85B form submitted by Applicants on February 2, 2009.

The above application is a national stage application of PCT/US99/29493, which is a continuation-in-part application of U.S.S.N. 09/211,335 (hereafter, "the '335 application") (now abandoned). As described below, Genetics Institute, LLC and The Johns Hopkins University were the proper assignees of the parent application and are also the proper assignees of the present patent (U.S. 7,507,706).

The assignment documents in the '335 application were submitted for recordation as set forth in 37 CFR § 3.11 before issuance of U.S. 7,507,706. An assignment properly listing The Johns Hopkins University as assignee of the '335 application (the parent application) was recorded with the U.S. Patent and Trademark Office at Reel 013743,

Frame 0879, on February 7, 2003, which corrected a previous assignment recorded at Reel 013387, Frame 0834, on October 16, 2002. A copy of the original executed assignment and the corrected Notice of Recordation is attached as Exhibit A.

The assignment for the '335 application to Genetics Institute, Inc. was recorded with the U.S. Patent and Trademark Office at Reel 010012, Frame 0419, on June 7, 1999. A copy of the original executed assignment and the Notice of Recordation is attached as Exhibit B. We note that the name of one of the inventors, Clive Wood, was inadvertently omitted from the Notice of Recordation.

The change in name from Genetics Institute, Inc. to Genetics Institute, LLC as an assignee of the '335 application was recorded with the U.S. Patent and Trademark Office at Reel 012772, Frame 0631, on March 29, 2002. A copy of the recorded assignment is attached as Exhibit C. The '335 application is cited at page 4 of the recorded assignment.

The executed assignment to Johns Hopkins University states that the assignment is for the rights in all "continuations" (line 10). The executed assignment to Genetics Institute, Inc. states that the assignment is for all "continuing" applications (line 20). The "continuations" and "continuing applications" include continuation-in-part applications, thereby indicating the intent of the inventors that the assignments of the '335 applications should be transferrable to the present continuation-in-part application.

The present application is a national stage application of PCT/US99/29493, which published as WO 00/36103. The face of WO 00/36103 reflects correctly that Genetics Institute, Inc. and The Johns Hopkins University were co-applicants on the PCT application, thereby indicating the intent of the parties that Genetics Institute and The Johns Hopkins University share rights in the invention as co-applicants. A copy of the front page of WO 00/36103 is attached as Exhibit D.

As evidence that Genetics Institute, LLC and The Johns Hopkins University are the proper assignees of the present application, Applicants submit herewith: (i) an executed assignment from one inventor to The Johns Hopkins University in the '335 application (Exhibit A); (ii) an executed assignment from six of the inventors to Genetics Institute Inc. in the '335 application (Exhibit B); (iii) the Notice of Recordation of assignment

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documenting the name change of Genetics Institute, Inc. to Genetics Institute, LLC (Exhibit C); and (iv) a copy of the front page of WO 00/36103 (Exhibit D).

The inventors and assignees in the present application which issued as U.S. Patent No. 7,507,706, are the same as those of the '335 application. Therefore, the Johns Hopkins University should be added as an assignee to the face of U.S. Patent No. 7,507,706. The omission of The Johns Hopkins University from the face of the patent is due only to the inadvertent omission of this entity from the PTOL-85B form.

A Request for Certificate of Correction Under 37 CFR § 1.323 is submitted herewith, and Applicants request that the file be forwarded to the Certificates of Correction Branch for issuance of a Certificate of Correction.

It is requested that the undersigned be contacted by telephone at (617) 395-7059 with any questions relating to this Request.

The Commissioner is hereby authorized to charge \$130.00 as set forth in 37 C.F.R. § 1.17(i), and any deficiencies, or any credits, to Deposit Account No. 50-2762, referencing Attorney Docket No. W2023-7013US.

Respectfully submitted,

By: /Allyson R. Hatton/

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